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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/773,809	02/05/2004	Kazuya Fujita	60803(49381)	8452

7590 01/31/2007
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EXAMINER

LOUIE, WAI SING

ART UNIT	PAPER NUMBER
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2814

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/31/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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Office Action Summary	Application No. 10/773,809	Applicant(s) FUJITA ET AL.	
	Examiner Wai-Sing Louie	Art Unit 2814	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16, 30-38 and 48-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16, 30-38 and 48-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>9/26/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-16, 30-38, and 48-51 are rejected under 35 U.S.C. 102(e) as being anticipated by Hashimoto (US Pub. 2003/0123779).

With regard to claims 1, 6, and 11, Hashimoto discloses an optical device (paragraph [0026] et seq. and fig. 8) comprising:

- A solid state image pickup device 50 having an effective pixel region 14 in one surface (paragraph [0085] and fig. 2);
- A light-transparent cover 32 arranged opposite to the effective pixel region 14 and having planar dimensions smaller than those of the solid state image pickup device 50 (paragraph [0088] and fig. 4a);
- An adhesive section 36 for adhering the solid state image pickup device 14 and the light-transparent cover 32 (paragraph [0089] and fig. 4a);
- Connection terminals 26 disposed on the solid state image pickup device 50, the adhering section 36 disposed at least in a portion of a region where the cover

opposes the pickup device 14 and such that the connect terminals 26 are exposed (fig. 5a).

With regard to claims 2, 8, 10, 12, and 48, Hashimoto discloses the adhering section 36 contains photosensitive (resin) adhesive (paragraph [0089]).

With regard to claims 3-5, 9, 13-15, 35, and 51, Hashimoto discloses a space is formed between the effective pixel region 14 and the light-transparent cover 32 (fig. 4a), and where the adhering section 58 is formed outside effective pixel region 14 in the one surface of the solid state image pickup device 50 sealing the outer periphery of the space (fig. 8).

With regard to claim 7, Hashimoto discloses the light-transparent plate 30 is divided so as to form light-transparent covers 32 each having planar dimensions smaller than those of the solid-state image pickup device 14 (fig. 3b).

With regard to claim 16, in addition to the limitations disclosed in claims 1, 6, and 11 above, Hashimoto also discloses:

- A lens retainer 74 for retaining the lens 78 (fig. 9);
- The light-transparent cover is arranged opposite to the lens and inside the lens retainer (fig. 8 and fig. 10).

With regard to claim 30, in addition to the limitations disclosed in claims 1, 6, 11, and 16 above, Hashimoto also discloses:

- A wiring board 62 on which wiring 54 is formed (paragraph [0109] and fig. 8).

With regard to claims 31 and 38, Hashimoto discloses the optical path-defining unit 70 retains a lens 78 arranged opposite to the light-transparent cover 32 of the solid-state image pickup device 50 (fig. 9).

With regard to claims 32 and 36-37, in addition to the limitations disclosed in claims 1, 6, 11, 16, and 30 above, Hashimoto also discloses:

- A solid state imaging module component (fig. 8) formed by resin-sealing 58: a module component wiring board 62 on which wiring 54 is formed (fig. 8);
- The solid-state image pickup device 50 is electrically connected to the wiring 54 in a state that the surface of the light-transparent cover 32 is exposed (fig. 8).

With regard to claim 33, Hashimoto discloses an external terminal 60 connected to the wiring 54 on the surface of the module component wiring board 62 reverse to the surface to which the imaging device 50 is adhered (fig. 8).

With regard to claim 34, Hashimoto discloses the external terminal has a protruding shape (fig. 8).

With regard to claim 49, Hashimoto discloses the adhering section 36 contains photosensitive (thermoplastic photosensitive resin) adhesive (paragraph [0089]).

With regard to claim 50, Hashimoto discloses the light-transparent cover 30 is planar (fig. 3a and 3b).

Response to Arguments

Applicant's arguments with respect to claims 1-16, 30-38, and 48-51 have been considered but are moot in view of the new ground(s) of rejection with the new reference.

Art Unit: 2814

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wai-Sing Louie whose telephone number is (571) 272-1709. The examiner can normally be reached on 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wael Fahmy can be reached on (571) 272-1705. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



WAI-SING LOUIE
PRIMARY PATENT EXAMINER

Wsl
January 25, 2007.